

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DAVID S. OWENS,

Plaintiff,

-v-

CITY OF NEW YORK, *et al.*,

Defendants.
-----X

ORDER

19-CV-10213 (GBD)(JLC)

JAMES L. COTT, United States Magistrate Judge.

On June 25, 2020, the Court ordered the New York City Law Department, counsel and agent for the New York City Police Department, to ascertain the identity of Officer John or Jane Doe, Identification No. 947809 of the 24th Precinct, and to confirm the address where this Defendant may be served. *See* Dkt. No. 35. The order gave the New York City Law Department 60 days to provide the information, which would have been August 24, 2020. *Id.* To date, the New York City Law Department has not identified the officer. The New York City Law Department is therefore ordered to comply with the Court's June 25 order and ascertain the identity of Officer John or Jane Doe, Identification No. 947809 of the 24th Precinct, and confirm the Defendant's address. It should provide this information to Owens and the Court no later than **November 20, 2020**.

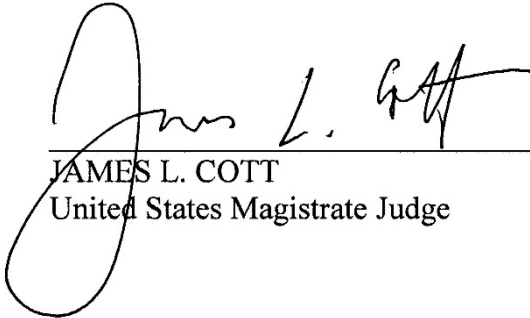
In addition, on November 9, 2020, service for Officer Juan Diaz was returned as unexecuted (Dkt. No. 47). The Court has been in contact with the United States Marshals Service and understands that there was no name or shield number match

for Officer Juan Diaz at 1 Police Plaza, New York, NY 10038 (the address provided by Defendant). The New York City Law Department is therefore ordered to provide a new address for service of process for Officer Juan Diaz or waive service on his behalf. The New York City Law Department must provide the information for Juan Diaz to Owens and the Court no later than **November 20, 2020**.

Finally, Defendants are advised that Owens has updated his address, as he is no longer incarcerated (Dkt. No. 42). Therefore, Defendants are directed to send all correspondence to Owens's new address, including Defendants' October 26, 2020 letter (Dkt. No. 43), which was mailed to his previous address. Defendants' October 26 letter informed the Court that Police Officers Diaz and Torres have not been served and will respond to the amended complaint once all defendants are served.¹

SO ORDERED.

Dated: November 12, 2020
New York, New York



JAMES L. COTT
United States Magistrate Judge

**A copy of this Order has been
mailed to the following:**

David S. Owens
390 Ninth Avenue
New York, NY 10001

¹ There is nothing on the docket to indicate whether defendant Torres was served or not.